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EXAMINER	
MOE, AUNG SOE	
ART UNIT	**PAPER NUMBER**
2612	

DATE MAILED: 02/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/087,465	TOKKONEN ET AL.	
	Examiner	Art Unit	
	Aung S. Moe	2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-36 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) 36 is/are allowed.

6)☒ Claim(s) 1-4,6,8,9,11-17,20-25,29-31 and 33-35 is/are rejected.

7)☐ Claim(s) 5,7,10,18,19,26-28 and 32 is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The abstract of the disclosure is objected to because the abstract should not include the phrase such that "means" as recited in line 8 of the Abstract. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 3, 6, 8-9, 20, 22, 23-24, 25, 29-30, 33 and 34 are rejected under 35 U.S.C. 102(e) as being anticipated by Misawa et al. (US 2002/0118285 A1).

Regarding claim 1, Misawa '284 discloses a mobile electronic apparatus (i.e., noted the digital camera 10) comprising:

a memory comprising user stored files therein (i.e., noted the memory elements 34/40), each user stored file (i.e., the image file) having more than one different prioritization parameter associated therewith (i.e., noted the different prioritization parameters such as "important", "normal" and "memo" as set by the user as shown in Figs. 3, and the different priority

parameters setting using image analysis as shown in Fig 5; see paragraphs 0038+, 0055+, 0059 and 0067+); and a system for prioritizing the user stored files in the memory relative to one another (i.e., page 4, paragraph 0062+), the system comprising means for prioritizing (Figs. 2 and 4, the elements 42 and 68) the user stored files (i.e., the image files) relative to each other based upon at least two of the different prioritization parameters (i.e., noted the different prioritization parameters such as "important", "normal" and "memo" as set by the user as shown in Figs. 3, and the different priority parameters setting using image analysis as shown in Fig 5; see paragraphs 0038+, 0055+, 0059+ and 0067+).

Regarding claim 3, Misawa '284 discloses wherein the prioritization parameters include a value judgment parameter entered by a user (i.e., see page 2, paragraph 0027+).

Regarding claim 6, Misawa '284 discloses wherein the prioritization parameters include a user input override parameter (i.e., noted that the priority values and the frame values can be override during the editing process as discussed in paragraphs 0065+).

Regarding claim 8, Misawa '284 discloses further comprising means for suggesting deletion or moving of one of the files based upon a low prioritization of the file as determined by the system for prioritizing (i.e., Fig. 3, see steps S140-150; and see Fig. 6 for moving the image with lower priority).

Regarding claim 9, Misawa '284 discloses further comprising means for automatically moving one of the files based upon a low prioritization of the file as determined by the system for prioritizing (i.e., noted the automatically moving/shifting of the image data based upon the low priority level as discussed in Fig. 6; see page 4, paragraphs 0058+).

Regarding claim 20, Misawa '284 discloses further comprising a user interface, wherein the user interface comprises a touch-based user interface (i.e., Fig. 1, the element 16).

Regarding claim 22, Misawa '284 discloses wherein the touch-based user interface comprises at least one depressible button (16) for inputting a user value judgment parameter for one of the files (i.e., see Fig. 7; paragraphs 0058+).

Regarding claim 23, Misawa '284 discloses a method of prioritizing a plurality of user stored files (i.e., Figs. 3, 5 and 6) relative to each other in a mobile electronic apparatus (i.e., Fig. 1) comprising steps of:

storing the user stored files in a memory (34/40) of the mobile electronic apparatus (i.e., page 3, paragraph 0037+); associating more than one different prioritization parameter with each user stored file (i.e., noted the different prioritization parameters such as "important", "normal" and "memo" as set by the user is associated with the captured images as shown in Figs. 3, and the different priority parameters setting using image analysis as shown in Fig 5; see paragraphs 0038+, 0055+, 0059 and 0067+); and prioritizing the user stored files relative to each other based upon at least two of the prioritization parameters associated with each of the files (i.e., noted the different prioritization parameters such as "important", "normal" and "memo" as set by the user as shown in Figs. 3, and the different priority parameters setting using image analysis as shown in Fig 5; see paragraphs 0038+, 0055+, 0059+ and 0067+).

Regarding claim 24, Misawa '284 discloses further comprising suggesting to a user deletion or moving of one of the files based upon a low prioritization of the file as determined

during the step of prioritizing (i.e., Fig. 3, see steps S140-150; and see Fig. 6 for moving the image with lower priority).

Regarding claim 25, Misawa '284 discloses further comprising automatically moving **or** compress and one of the files based upon a low prioritization of the file as determined during the step of prioritizing (i.e., noted the automatically moving/shifting of the image data based upon the low priority level as discussed in Fig. 6; see page 4, paragraphs 0058+).

Regarding claim 29, Misawa '284 discloses wherein the mobile electronic apparatus comprises a digital camera (Fig. 1) and the step of storing the user stored files comprises storing a digital image taken by the digital camera (i.e., Fig. 7).

Regarding claim 30, Misawa '284 discloses wherein the step of associating more than one different prioritization parameter with each user stored file comprises inputting, by a user, a user value judgment parameter into the mobile electronic apparatus for each of the user stored files (i.e., noted the different prioritization parameters such as "important", "normal" and "memo" as set by the user as shown in Figs. 3, and the different priority parameters setting using image analysis as shown in Fig 5; see paragraphs 0038+, 0055+, 0059+ and 0067+).

Regarding claim 33, Misawa '284 discloses a method of prioritizing a plurality of files relative to each other in a memory of an electronic apparatus (i.e., Figs. 3, 5 and 6) comprising steps of: associating more than one different prioritization parameter for each of the files in the memory (i.e., noted the different prioritization parameters such as "important", "normal" and "memo" as set by the user is associated with the captured images as shown in Figs. 3, and the different priority parameters setting using image analysis as shown in Fig 5; see paragraphs

0038+, 0055+, 0059 and 0067+), a first one of the prioritization parameters (i.e., one of the priority values such that "important") comprising a value judgment parameter consisting of either a user input value judgment parameter (i.e., the priority values inputted by the user as discussed in paragraphs 0059+) **or** a default value judgment parameter (i.e., noted the priority values automatically determined by the image analysis process as shown in Fig. 5); and

prioritizing the files relative to one another based upon the value judgment parameter respectively associated with the files (see Figs. 3, 5 and 7, and paragraphs 0038+, 0055+, 0059 and 0067+) and at least one other of the prioritization parameters respectively associated with the files (i.e., noted the one other of the prioritization parameters "normal" or "memo" as discussed in Fig. 3).

Regarding claim 34, Misawa '284 discloses a mobile electronic apparatus (i.e. Figs. 1, 2 and 4) comprising: a memory (i.e., the elements 34, 40 and 66) comprising a plurality of user stored files therein (i.e., see Fig. 7), each of the user stored files having at least one first prioritization parameter associated therewith (i.e., one of the priority parameter such that "important"; see paragraphs 0059+ and 0067+) and a second override parameter associated therewith (i.e., noted that the frame number can be overwrite, thus, it is considered as "a second override parameter as claimed; see paragraphs 0059+); and a system for prioritizing the user stored files in the memory relative to one another (i.e., Figs. 3, 5 and 6; paragraphs 0038+ and 0059+), the system comprising means for prioritizing (i.e., Figs. 2 and 4; the elements 42 and 68) the user stored files relative to each other based upon both the second override parameter (i.e. the frame number) and at least one of the first prioritization parameters (i.e., the priority value parameter) for each file (i.e., see Fig. 7).

3. Claim 35 is rejected under 35 U.S.C. 102(e) as being anticipated by Hayduk (US 2003/0054833 A1).

Regarding claim 35, Hayduk '833 discloses mobile electronic apparatus (i.e., Fig. 1, the element 102) comprising: a memory (i.e., the elements 111) comprising a plurality of user stored files therein (i.e., noted the files 132, 136 and 138), each of the user stored files having at least one first prioritization parameter associated therewith (i.e., noted the prioritization parameter 134) and a second backup parameter (i.e., 138) associated therewith (i.e., noted that the application APP22 can be retained as a second backup parameter for future use; see paragraph 0017); and a system (i.e. Fig. 1, the elements 112) for prioritizing the user stored files (132) in the memory (111) relative to one another, the system comprising means for prioritizing (i.e., Fig. 1, the elements 112 and 137) the user stored files relative to each other based upon both the second backup parameter (i.e., the parameter of the application APP22) and at least one of the first prioritization parameters (the priorities 134) for each file (i.e., paragraphs 0013-0017).

4. Claims 1, 2-3, 6, 8, 11, 15, 17, 20, 23-24, 30-31, 33-34 and 35 are rejected under 35 U.S.C. 102(e) as being anticipated by Nakai et al. (U.S. 2002/0033779 A1).

Regarding claim 1, Nakai '779 discloses mobile electronic apparatus (Fig. 1, the elements 20) comprising: a memory (Fig. 4, the memory elements 31, 32, 41 and 42) comprising user stored files therein (i.e., see Figs. 5A-5B and 20B-21D), each user stored file having more than one different prioritization parameter associated therewith (i.e., page 9, the Tables "1" and "2"; see paragraphs 0149+); and a system for prioritizing the user stored files in the memory relative to one another (i.e., Figs. 5A-5B and 20B-21D and Tables "1" and "2"; paragraphs 0149+), the

system comprising means for prioritizing the user stored files (i.e., noted the article data files; see paragraphs 0149+) relative to each other based upon at least two of the different prioritization parameters (i.e., see paragraphs 0150+).

Regarding claim 2, Nakai '779 discloses mobile electronic apparatus as in claim 1 wherein the prioritization parameters comprise age of the file and file size (i.e., noted from the Tables 1 and 2 shown the size and the age, e.g., access frequency as prioritization parameters; see paragraphs 0154+).

Regarding claim 3, Nakai '779 discloses mobile electronic apparatus as in claim 1 wherein the prioritization parameters include a value judgment parameter entered by a user (i.e., see paragraphs 0152+).

Regarding claim 6, Nakai '779 discloses mobile electronic apparatus as in claim 1 wherein the prioritization parameters include a user input override parameter (i.e., noted the user input to override prioritization parameter during the reduction/modification process as shown in Figs. 22-24; see paragraphs 0158-0174).

Regarding claim 8, Nakai '779 discloses a mobile electronic apparatus as in claim 1 further comprising means for suggesting deletion or moving of one of the files based upon a low prioritization of the file as determined by the system for prioritizing.

Regarding claim 11, Nakai '779 discloses a mobile electronic apparatus as in claim 1 wherein the mobile electronic apparatus comprises a mobile wireless communication terminal (i.e., noted the terminal 20 is a mobile wireless device; see paragraphs 0096+).

Regarding claim 15, Nakai '779 discloses a mobile electronic apparatus as in claim 1 wherein the prioritization parameters include a file compressibility parameter (i.e., noted the prioritization parameter "E1" as shown in the Table 1).

Regarding claim 17, Nakai '779 discloses a mobile electronic apparatus as in claim 1 wherein the prioritization parameters include a parameter that lets a user determine what type of a backup of the user stored file is needed (i.e., noted from Figs. 22-24, that the prioritization parameters "A" and "B" are determined to be saved by the user as a backup of the user stored file; see paragraphs 0156-0161).

Regarding claim 20, Nakai '779 discloses a mobile electronic apparatus as in claim 1 further comprising a user interface, wherein the user interface comprises a touch-based user interface (i.e., see Fig. 4, the elements 34 and 35).

Regarding claim 23, Nakai '779 discloses a method of prioritizing a plurality of user stored files relative to each other in a mobile electronic apparatus (Fig. 1, the elements 20) comprising steps of:

storing the user stored files (i.e., see Figs. 5A-5B, 20B-21D and 22) in a memory (i.e., the elements 32, 41 and 42) of the mobile electronic apparatus (20); associating more than one different prioritization parameter with each user stored file (i.e., page 9, the Tables "1" and "2"; see paragraphs 0149+); and prioritizing the user stored files relative to each other based upon at least two of the prioritization parameters associated with each of the files (i.e., Figs. 5A-5B and 20B-21D and Tables "1" and "2"; paragraphs 0149+, 0151+ and 0155+).

Regarding claim 24, Nakai '779 discloses a method as in claim 23 further comprising suggesting to a user deletion or moving of one of the files based upon a low prioritization of the file as determined during the step of prioritizing (i.e., noted the Reduction of Saved data as discussed in Figs. 22-24; see paragraphs 0154+).

Regarding claim 30, Nakai '779 discloses a method as in claim 23 wherein the step of associating more than one different prioritization parameter (i.e., Tables "1" and "2") with each user stored file comprises inputting, by a user, a user value judgment parameter into the mobile electronic apparatus for each of the user stored files (i.e., see paragraphs 0152+).

Regarding claim 31, Nakai '779 discloses a method as in claim 30 further comprising a user actuating a user interface device (Fig. 4, the elements 34 and 35) for inputting the user value judgment parameter and, inputting a default user value judgment parameter into the mobile electronic apparatus when the user does not actuate the user interface device (i.e., see paragraphs 0152+).

Regarding claim 33, Nakai '779 discloses a method of prioritizing a plurality of files relative to each other in a memory of an electronic apparatus (i.e., see Figs. 4, 5A-5B, 20B-24) comprising steps of:

associating more than one different prioritization parameter for each of the files in the memory (i.e., see Tables "1" and "2"; paragraphs 0149-0152), a first one of the prioritization parameters comprising a value judgment parameter consisting of either a user input value judgment parameter (i.e., noted the priority parameter "A-G" as shown in the table "1) or a

default value judgment parameter (i.e., noted the default priority value as discussed in paragraphs 0152+); and

prioritizing the files relative to one another based upon the value judgment parameter respectively associated with the files (i.e., see Figs. 5A-5B, 20B-21D; paragraphs 0149-0160) and at least one other of the prioritization parameters (i.e., noted the "Other" parameters as shown in the Table "1") respectively associated with the files (i.e., paragraphs 0149-0161).

Regarding claim 34, Nakai '779 discloses a mobile electronic apparatus (Fig. 4) comprising: a memory (32, 41 and 42) comprising a plurality of user stored files therein (i.e., noted the files as shown in Figs. 5A-5B, 20B-21D; paragraphs 0149-0160), each of the user stored files having at least one first prioritization parameter (i.e., noted one of priority parameter "A-G" as shown in table "1") associated therewith and a second override parameter (i.e., noted the reduction parameters as shown in table "2") associated therewith; and

a system for prioritizing (i.e., Fig. 4, the elements 30, 36, and 38) the user stored files in the memory (32, 41 and 42) relative to one another (i.e., see Figs. 20B and 21B), the system comprising means for prioritizing the user stored files relative to each other based upon both the second override parameter (i.e., Reduction parameter of table "2") and at least one of the first prioritization parameters (i.e., noted the priority parameters "A-G" as shown in table "1") for each file (i.e., see paragraphs 0149-0162).

Regarding claim 35, Nakai '779 discloses a mobile electronic apparatus (Fig. 4) comprising: a memory (32, 41 and 42) comprising a plurality of user stored files therein (i.e., noted the files as shown in Figs. 5A-5B, 20B-21D), each of the user stored files having at least

one first prioritization parameter associated therewith (i.e., see paragraphs 0149-0160; and the tables "1" and "2") and a second backup parameter (i.e., noted the scrapbook information" is saved as a backup parameter as shown in Figs. 22-24) associated therewith; and a system for prioritizing (i.e., Fig. 4, the elements 30, 36, and 38) the user stored files in the memory (32, 41 and 42) relative to one another (i.e., see Figs. 5A-5B and 20B-21D), the system comprising means for prioritizing (i.e., Fig. 4, the elements 30, 36, and 38) the user stored files relative to each other based upon both the second backup parameter (i.e., the scrapbook information parameters saved as a backup parameter; see Figs. 22-24 and paragraphs 0156+) and at least one of the first prioritization parameters (i.e., noted the one of the previously specified priority parameter, i.e., the default priority parameter, which are not specified or modified during the reduction process) for each file (i.e., see paragraphs 0149-0169).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out

the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. Claims 11-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Misawa '284 in view of Reele et al. (U.S. 5,893,037).

Regarding claim 11, it is noted that although Misawa '284 discloses the use of communication terminal to transfer/exchange data to an external device such as a personal computer (i.e., see paragraph 0034+), Misawa '284 does not explicitly show the use of a mobile wireless communication terminal.

However, the above-mentioned claimed limitations are well known in art as evidenced by Reele '037. In particular, Reele '037 teaches the use of a mobile wireless communication terminal (i.e., see Fig. 5, the element 54) is integrated within the mobile electronic apparatus (i.e., the camera system) for transmitting the image data file to the remote device (i.e., see col. 3, lines 65+).

In view of the above, having the system of Misawa '284 and then given the well-established teaching of Reele '037, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to modify the system of Misawa '284 as taught by Reele '037 for transmitting the image data file of the portable camera to the remote device, since Reele '037 stated in col. 1, lines 45+ that such modification would reduce the expense and complexity of the data transmission system in the mobile electronic apparatus.

Regarding claim 12, the combination of Misawa '284 and Reele '037 discloses wherein the mobile wireless communication terminal (i.e., Fig. 5 of Reele '037) comprises a digital convergence product (i.e., noted the elements 46 and 58 as shown in Fig. 5 of Reele '037).

Regarding claim 13, the combination of Misawa '284 and Reele '037 discloses wherein the digital convergence product comprises a digital camera (i.e., noted the digital camera as shown in Fig. 5 of Reele '037 and Fig. 2 of Misawa '284).

Regarding claim 14, the combination of Misawa '284 and Reele '037 discloses wherein the prioritization parameters include an image file quality parameter (i.e., as shown in Fig. 5 of Misawa '284, the prioritization parameters include an image file quality parameter, such as "camera shake value" and exposure amount).

8. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Misawa '284 in view of Kubo et al (U.S. 2001/0006400 A1).

Regarding claim 16, Misawa '284 does not explicitly show the prioritization parameters include a size of free space in the memory parameter.

However, the above-mentioned claimed limitations are well known in art as evidenced by Kubo '00. In particular, Kubo '00 teaches the setting of the prioritization parameters (i.e., noted the priority setting as shown in Fig. 6 and 9) based on a size of free space in the memory parameter (i.e., see Fig. 8, the steps 63-67; paragraphs 0072, 0076 and 0081) so that a storing error would be prevented (i.e., paragraphs 0008+).

In view of the above, having the system of Misawa '284 and then given the well-established teaching of Kubo '00, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to modify the system of Misawa '284 by including a size of free space in the memory parameter as the prioritization parameters as taught by Kubo '00, since Kubo '00 stated in page 1, paragraphs 0008+ that such modification would enhance the memory usage of the mobile electronic apparatus.

9. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nakai '779 in view of Horvitz (U.S. 2004/0236719 A1).

Regarding claim 4, although Nakai '779 shown the use of different prioritization parameters (i.e., see Table 1 of Nakai '779), Nakai '779 does not explicitly show the use of **cost parameter** as the prioritization parameter in a mobile electronic apparatus (i.e., see paragraphs 0018+).

However, the above-mentioned claimed limitations are well known in art as evidenced by Horvitz '719. In particular, Horvitz '719 shown in Figs. 3, 5 and 6 and further discussed in the paragraphs 0044+ and 0146+ that the use of "cost parameter" as the prioritization parameter is well known in the art.

In view of the above, having the system of Nakai '779 and then given the well-established teaching of Horvitz '719, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to modify the system of Nakai '779 by including a cost parameter as the prioritization parameters as taught by Horvitz '719 so that the expected cost associated with delayed review is minimized (i.e., see paragraph 0034+).

10. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nakai '779 in view of Schuster et al. (U.S. 6,584,490).

Regarding claim 21, although Nakai '779 discloses the use of the touch-based user interface (i.e., Fig. 4, the elements (38, 34 and 35) comprises a mechanical input apparatus and, a cursor shown on a display of the apparatus (34) for inputting a user value judgment parameter for one of the files (i.e., see paragraphs 0127+ of Nakai '779), Nakai '779 does not explicitly show the use of a bar and a slider shown on a display of the apparatus as required by the present claimed invention.

However, the above-mentioned claimed limitations are well known in art as evidenced by Schuster '490. In particular, Schuster '490 teaches the use of a bar and a slider (i.e., Fig. 13, the element 1314) shown on a display of the apparatus (410) as required by the present claimed invention.

In view of the above, having the system of Misawa '284 and then given the well-established teaching of Schuster '490, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to modify the system of Misawa '284 as taught by Schuster '490 for inputting the user value judgment parameter for one of the files, thereby the flexibility of operation would improve and enhance the user's convenient.

Allowable Subject Matter

11. Claim 36 is allowed over the prior art of records.

12. Claims 5, 7, 10, 18-19, 26-28 and 32 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Takahashi '757, Araki '587 and Ejima '148 showed the use of prioritization parameters in the mobile imaging apparatus.

b. Ishida '438 shows the use of prioritization parameters thereof.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aung S. Moe whose telephone number is 703-306-3021 (or 571-272-7314). The examiner can normally be reached on Mon-Fri (9-5).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on 703-305-4929 (or 571-272-7308). The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Aung S. Moe
Primary Examiner
Art Unit 2612

A. Moe
February 17, 2005